

State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-0506/P1

JK:sac:fs

P2  
RMR

DOA:.....Quinn, BB0222 - Internal Revenue Code updates; patient protection and affordable care act provisions

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

19/13  
in

Combined affordable care act and clean-up provisions Internal Revenue Code update

ove  
(to this  
see)

1 AN ACT ...; relating to: the budget.

*do not file*

**Analysis by the Legislative Reference Bureau**

**TAXATION**

**INCOME TAXATION**

This bill adopts, for state income and franchise tax purposes, changes made to the federal Internal Revenue Code related to limiting the amount of salary reduction for a health care flexible spending arrangement, eliminating a deduction for expenses allocable to a Medicare, Part D subsidy, increasing the threshold for itemized medical expense deductions from 7.5 percent to 10 percent of adjusted gross income, increasing the penalty for nonqualified distributions from a health savings account, and limiting the deduction for remuneration paid by health insurance providers.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

1           **SECTION 1.** 71.01 (6) (i) of the statutes is created to read:

2           **71.01 (6) (i)** For taxable years that begin after December 31, 2012, for natural  
3 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or  
4 reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code  
5 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.  
6 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
7 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
8 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L.  
9 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
10 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
11 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
12 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
13 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
14 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
15 (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
16 P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
17 division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections  
18 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5  
19 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
20 P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections  
21 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
22 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
23 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
24 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
25 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections

(9016)

- 1        1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9021, 9022, 10108, 10902, 10908, and  
2        10909 of P.L. 111-148, P.L. 111-152, except sections 1403 and 1407 of P.L. 111-152,  
3        P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215  
4        and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and  
5        2113 of P.L. 111-240, and P.L. 111-312, and as indirectly affected by P.L. 99-514, P.L.  
6        100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
7        101-280, P.L. 101-508, P.L. 102-90, P.L. 102-227, excluding sections 103, 104, and  
8        110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections  
9        13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L.  
10      103-337, P.L. 103-465, P.L. 104-7, P.L. 104-117, P.L. 104-188, excluding sections  
11      1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.  
12      104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206, P.L. 105-277, P.L.  
13      106-36, P.L. 106-170, P.L. 106-230, P.L. 106-554, excluding sections 162 and 165 of  
14      P.L. 106-554, P.L. 106-573, P.L. 107-15, P.L. 107-16, excluding section 431 of P.L.  
15      107-16, P.L. 107-22, P.L. 107-116, P.L. 107-134, P.L. 107-147, excluding sections  
16      101 and 301 (a) of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L.  
17      107-358, P.L. 108-27, excluding sections 106, 201, and 202 of P.L. 108-27, P.L.  
18      108-121, P.L. 108-173, excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L.  
19      108-218, P.L. 108-311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
20      108-311, P.L. 108-357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
21      847, 909, and 910 of P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L.  
22      109-58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
23      1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59, excluding section 11146 of P.L.  
24      109-59, P.L. 109-73, excluding section 301 of P.L. 109-73, P.L. 109-135, excluding  
25      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and

1       (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
2       503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
3       412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
4       sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
5       excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
6       and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
7       110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
8       110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
9       excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
10      and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
11      sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
12      111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
13      1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, *9016*, 9021, 9022, 10108, 10902, 10908, and  
14      10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section  
15      1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111,  
16      2112, and 2113 of P.L. 111–240, *and* P.L. 111–325. The Internal Revenue Code applies  
17      for Wisconsin purposes at the same time as for federal purposes, except that changes  
18      made by P.L. 106–573, sections 9004, 9005, 9012, 9013, 9014, *9016*, and 10902 of P.L.  
19      111–148, *and* sections 1403 and 1407 of P.L. 111–152 do not apply for taxable years  
20      beginning before January 1, 2013.

21       **SECTION 2.** 71.01 (6) (o) of the statutes is repealed.

22       **SECTION 3.** 71.01 (6) (p) of the statutes is renumbered 71.01 (6) (a).

23       **SECTION 4.** 71.01 (6) (q) of the statutes is renumbered 71.01 (6) (b).

24       **SECTION 5.** 71.01 (6) (r) of the statutes is renumbered 71.01 (6) (c).

25       **SECTION 6.** 71.01 (6) (s) of the statutes is renumbered 71.01 (6) (d).

1           **SECTION 7.** 71.01 (6) (t) of the statutes is renumbered 71.01 (6) (e).

2           **SECTION 8.** 71.01 (6) (u) of the statutes is renumbered 71.01 (6) (f).

3           **SECTION 9.** 71.01 (6) (um) of the statutes is renumbered 71.01 (6) (g).

4           **SECTION 10.** 71.01 (6) (un) of the statutes is renumbered 71.01 (6) (h) and  
5 amended to read:

6           **71.01 (6) (h)** For taxable years that begin after December 31, 2010, and before  
7 January 1, 2013, for natural persons and fiduciaries, except fiduciaries of nuclear  
8 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal  
9 Internal Revenue Code as amended to December 31, 2010, excluding sections 103,  
10 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
11 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
12 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
13 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
14 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
15 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
16 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
17 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
18 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
19 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
20 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,  
21 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
22 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
23 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
24 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
25 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.

1       110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,  
2       P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
3       and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,  
4       1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
5       111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,  
6       and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.  
7       111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and  
8       217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113  
9       of P.L. 111–240, and P.L. 111–312, and as indirectly affected by P.L. 99–514, P.L.  
10      100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
11      101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104, and  
12      110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
13      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
14      103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections  
15      1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L.  
16      104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L.  
17      106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of  
18      P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
19      107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
20      of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
21      excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
22      excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
23      excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
24      excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
25      P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections

1       1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
2       109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
3       section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
4       relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
5       109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
6       P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
7       of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
8       8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
9       and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
10      of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
11      15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
12      sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
13      of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
14      of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
15      1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
16      111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021,  
17      9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L.  
18      111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections  
19      2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325. The Internal  
20      Revenue Code applies for Wisconsin purposes at the same time as for federal  
21      purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406,  
22      409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.  
23      109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L.  
24      110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding  
25      sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L.

110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013.

**SECTION 11.** 71.22 (4) (i) of the statutes is created to read:

71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g), and 71.42 (2), “Internal Revenue Code,” for taxable years that begin after December 31, 2012, means the federal Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division

1 A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215,  
2 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L.  
3 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L.  
4 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4,  
5 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
6 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
7 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
8 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
9 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
10 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, <sup>9016</sup> 9021, 9022, 10108, 10902, 10908, and  
11 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152,  
12 P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215  
13 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and  
14 2113 of P.L. 111–240, and P.L. 111–312, indirectly affected in the provisions  
15 applicable to this subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805  
16 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L.  
17 100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140,  
18 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
19 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
20 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
21 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
22 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
23 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
24 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
25 P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.

1       107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)  
2       of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
3       excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
4       excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
5       excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
6       excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
7       P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
8       1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
9       109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
10      section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
11      relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
12      109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
13      P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
14      of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
15      8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
16      and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
17      of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4,  
18      15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding  
19      sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e)  
20      of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
21      of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401,  
22      1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L.  
23      111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004,  
24      9005, 9012, 9013, 9014, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148,  
25      sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203,

9016,

1 sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
2 111-240, and P.L. 111-325. The Internal Revenue Code applies for Wisconsin  
3 purposes at the same time as for federal purposes, except that changes made by P.L.  
4 106-573, sections 9004, 9005, 9012, 9013, 9014, and 10902 of P.L. 111-148, and  
5 sections 1403 and 1407 of P.L. 111-152 do not apply for taxable years beginning  
6 before January 1, 2013.

7 **SECTION 12.** 71.22 (4) (o) of the statutes is repealed.

8 **SECTION 13.** 71.22 (4) (p) of the statutes is renumbered 71.22 (4) (a).

9 **SECTION 14.** 71.22 (4) (q) of the statutes is renumbered 71.22 (4) (b).

10 **SECTION 15.** 71.22 (4) (r) of the statutes is renumbered 71.22 (4) (c).

11 **SECTION 16.** 71.22 (4) (s) of the statutes is renumbered 71.22 (4) (d).

12 **SECTION 17.** 71.22 (4) (t) of the statutes is renumbered 71.22 (4) (e).

13 **SECTION 18.** 71.22 (4) (u) of the statutes is renumbered 71.22 (4) (f).

14 **SECTION 19.** 71.22 (4) (um) of the statutes is renumbered 71.22 (4) (g).

15 **SECTION 20.** 71.22 (4) (un) of the statutes is renumbered 71.22 (4) (h) and  
16 amended to read:

17 71.22 (4) (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
18 (1g), and 71.42 (2), "Internal Revenue Code," for taxable years that begin after  
19 December 31, 2010, and before January 1, 2013, means the federal Internal Revenue  
20 Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.  
21 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103-66,  
22 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104-188, sections 1, 3,  
23 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554, P.L. 106-573, section  
24 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147, sections 106, 201, and  
25 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306, 308, 316, 401, and 403

1       (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
2       910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
3       1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section  
4       301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
5       (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L.  
6       109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
7       of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except  
8       sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,  
9       3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.  
10      110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,  
11      except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections  
12      3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,  
13      except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of  
14      division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,  
15      1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.  
16      111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of  
17      P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except  
18      section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L.  
19      111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
20      111–240, and P.L. 111–312, and as indirectly affected in the provisions applicable to  
21      this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, excluding sections 803  
22      (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514 and section  
23      1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,  
24      P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
25      102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),

1       13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
2       104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
3       (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
4       105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
5       106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16,  
6       excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L.  
7       107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L.  
8       107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and  
9       202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L.  
10      108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316,  
11      401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211,  
12      242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476,  
13      P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
14      1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146  
15      of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135,  
16      excluding sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
17      (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections  
18      101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406,  
19      409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L.  
20      109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L.  
21      110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding  
22      sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section  
23      301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
24      110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L.  
25      110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of

division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325. The Internal Revenue Code applies for Wisconsin purposes at the same time as for federal purposes, except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning before January 1, 2011. Amendments to the federal Internal Revenue Code enacted after December 31, 2010, do not apply to this paragraph with respect to taxable years beginning after December 31, 2010, and before January 1, 2013.

**SECTION 21.** 71.22 (4m) (i) of the statutes is created to read:

71.22 (4m) (i) For taxable years that begin after December 31, 2012, “Internal Revenue Code,” for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended

1 to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
2 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
3 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
4 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections  
5 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
6 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections  
7 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.  
8 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,  
9 and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73,  
10 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
11 (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L.  
12 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division  
13 A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215,  
14 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L.  
15 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L.  
16 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4,  
17 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
18 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
19 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
20 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
21 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
22 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, *(9016)*, 9021, 9022, 10108, 10902, 10908, and  
23 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152,  
24 P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215  
25 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and

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insert B

- 1 2113 of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
2 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
3 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
4 excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
5 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
6 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
7 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
8 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
9 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
10 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding  
11 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
12 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
13 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
14 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
15 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
16 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
17 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
18 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
19 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
20 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
21 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
22 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
23 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
24 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
25 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,

1       excluding sections 2, 3, and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b)  
2       and 11 (b), (e), and (g) of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L.  
3       110-245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L.  
4       110-289, excluding sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317,  
5       excluding section 9 (e) of P.L. 110-317, sections 116, 208, 211, and 301 of division B  
6       and sections 313 and 504 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458,  
7       sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
8       111-5, P.L. 111-92, P.L. 111-147, excluding section 201 of P.L. 111-147, sections  
9       1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, *9016,* 9021, 9022, 10108, 10902, 10908, and  
10      10909 of P.L. 111-148, sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section  
11      1601 of P.L. 111-203, sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111,  
12      2112, and 2113 of P.L. 111-240, *and* P.L. 111-325. The Internal Revenue Code applies  
13      for Wisconsin purposes at the same time as for federal purposes, except that changes  
14      made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014, *9016,* and 10902 of P.L.  
15      111-148, *and* sections 1403 and 1407 of P.L. 111-152 *do not apply for taxable years*  
16      beginning before January 1, 2013.

17      **SECTION 22.** 71.22 (4m) (m) of the statutes is repealed.

18      **SECTION 23.** 71.22 (4m) (n) of the statutes is renumbered 71.22 (4m) (a).

19      **SECTION 24.** 71.22 (4m) (o) of the statutes is renumbered 71.22 (4m) (b).

20      **SECTION 25.** 71.22 (4m) (p) of the statutes is renumbered 71.22 (4m) (c).

21      **SECTION 26.** 71.22 (4m) (q) of the statutes is renumbered 71.22 (4m) (d).

22      **SECTION 27.** 71.22 (4m) (r) of the statutes is renumbered 71.22 (4m) (e).

23      **SECTION 28.** 71.22 (4m) (s) of the statutes is renumbered 71.22 (4m) (f).

24      **SECTION 29.** 71.22 (4m) (sm) of the statutes is renumbered 71.22 (4m) (g).

1           **SECTION 30.** 71.22 (4m) (sn) of the statutes is renumbered 71.22 (4m) (h) and  
2 amended to read:

3           **71.22 (4m) (h)** For taxable years that begin after December 31, 2010, and  
4 before January 1, 2013, “Internal Revenue Code,” for corporations that are subject  
5 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal  
6 Internal Revenue Code as amended to December 31, 2010, excluding sections 103,  
7 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203  
8 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
9 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554,  
10 P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,  
11 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
12 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
13 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
14 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
15 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
16 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
17 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,  
18 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
19 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
20 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
21 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
22 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
23 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,  
24 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
25 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,

1       1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
2       111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,  
3       and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.  
4       111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and  
5       217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113  
6       of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
7       applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
8       101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
9       excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
10      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
11      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
12      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
13      104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
14      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
15      162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
16      107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
17      101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
18      107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
19      108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
20      108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
21      108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
22      847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
23      109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
24      1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
25      109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding

1 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
2 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
3 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
4 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
5 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
6 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
7 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
8 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
9 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
10 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
11 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
12 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
13 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
14 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
15 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
16 P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
17 111–325. The Internal Revenue Code applies for Wisconsin purposes at the same  
18 time as for federal purposes, except that changes made by section 209 of P.L.  
19 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and  
20 section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236  
21 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.  
22 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
23 sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L.  
24 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L.  
25 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and

1       211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L.  
2       111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L.  
3       111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning  
4       before January 1, 2011. Amendments to the Internal Revenue Code enacted after  
5       December 31, 2010, do not apply to this paragraph with respect to taxable years  
6       beginning after December 31, 2010, and before January 1, 2013.

7       **SECTION 31.** 71.26 (2) (b) 9. of the statutes is created to read:

8       71.26 (2) (b) 9. For taxable years that begin after December 31, 2012, for a  
9       corporation, conduit, or common law trust which qualifies as a regulated investment  
10      company, real estate mortgage investment conduit, real estate investment trust, or  
11      financial asset securitization investment trust under the Internal Revenue Code as  
12      amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227,  
13      sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections  
14      1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and  
15      5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16,  
16      sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27,  
17      section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311,  
18      sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357,  
19      P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329,  
20      1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
21      109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
22      (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
23      P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
24      division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections  
25      8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5

of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, <sup>9016</sup>, ~~9021, 9022,~~ 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, <sup>insert B</sup> and as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.

1       108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
2       (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
3       337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
4       P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
5       1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
6       109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
7       sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
8       (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
9       503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
10      412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
11      sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
12      excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
13      and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
14      110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
15      110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
16      excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
17      and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
18      sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
19      111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
20      1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, 9021, 9022, 10108, 10902, 10908, and  
21      10909 of P.L. 111–148, sections 1403 and 1407 of P.L. 111–152, P.L. 111–192, section  
22      1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111,  
23      2112, and 2113 of P.L. 111–240, and P.L. 111–325, “net income” means the federal  
24      regulated investment company taxable income, federal real estate mortgage  
25      investment conduit taxable income, federal real estate investment trust or financial

1 asset securitization investment trust taxable income of the corporation, conduit, or  
2 trust as determined under the Internal Revenue Code as amended to December 31,  
3 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d),  
4 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f),  
5 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections  
6 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
7 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
8 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
9 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
10 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
11 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as  
12 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,  
13 sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117,  
14 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division  
15 C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of  
16 P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections  
17 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301  
18 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and  
19 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of  
20 P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and  
21 sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261,  
22 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201  
23 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012,  
24 9013, 9014, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L.  
25 111–152, except sections 1403 and 1407 of P.L. 111–152, P.L. 111–203, except section

(9016)

*Insert B*

1        1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L.  
2        111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
3        111–312, and as indirectly affected in the provisions applicable to this subchapter by  
4        P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,  
5        P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L.  
6        102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150  
7        (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.  
8        103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),  
9        1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.  
10      105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L.  
11      106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573,  
12      P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L.  
13      107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L.  
14      107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27,  
15      excluding sections 106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173,  
16      excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311,  
17      excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357,  
18      excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
19      P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections  
20      1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
21      109–58, P.L. 109–59, excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding  
22      section 301 of P.L. 109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it  
23      relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L.  
24      109–151, P.L. 109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222,  
25      P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425

of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458, sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, *9016,* 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, section 1407 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–325, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue Code as amended to December 31, 1980, shall continue to be depreciated under the Internal Revenue Code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147,

1 sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306,  
2 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
3 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
4 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
5 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
6 to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
7 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,  
8 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
9 P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
10 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
11 (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
12 P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
13 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,  
14 P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
15 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,  
16 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
17 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9004, 9005, 9012, 9013,  
18 9014, 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111–148, P.L. 111–152,  
19 except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203,  
20 P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except  
21 sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L. 111–312, and as  
22 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.  
23 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.  
24 101–508, P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L.  
25 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),

1 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.  
2 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,  
3 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding (9016)  
4 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,  
5 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and 1407  
6 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of  
7 P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.  
8 (current) 111-325 applies for Wisconsin purposes at the same time as for federal purposes,  
9 except that changes made by P.L. 106-573, sections 9004, 9005, 9012, 9013, 9014,  
10 and 10902 of P.L. 111-148, and sections 1403 and 1407 of P.L. 111-152 do not apply  
11 for taxable years beginning before January 1, 2013. (9016)  
12 (current C)

12 **SECTION 32.** 71.26 (2) (b) 15. of the statutes is repealed.

13 **SECTION 33.** 71.26 (2) (b) 16. of the statutes is renumbered 71.26 (2) (b) 1.

14 **SECTION 34.** 71.26 (2) (b) 17. of the statutes is renumbered 71.26 (2) (b) 2.

15 **SECTION 35.** 71.26 (2) (b) 18. of the statutes is renumbered 71.26 (2) (b) 3.

16 **SECTION 36.** 71.26 (2) (b) 19. of the statutes is renumbered 71.26 (2) (b) 4.

17 **SECTION 37.** 71.26 (2) (b) 20. of the statutes is renumbered 71.26 (2) (b) 5.

18 **SECTION 38.** 71.26 (2) (b) 21. of the statutes is renumbered 71.26 (2) (b) 6.

19 **SECTION 39.** 71.26 (2) (b) 22. of the statutes is renumbered 71.26 (2) (b) 7.

20 **SECTION 40.** 71.26 (2) (b) 23. of the statutes is renumbered 71.26 (2) (b) 8. and

21 amended to read:

22 71.26 (2) (b) 8. For taxable years that begin after December 31, 2010, and  
23 before January 1, 2013, for a corporation, conduit, or common law trust which  
24 qualifies as a regulated investment company, real estate mortgage investment  
25 conduit, real estate investment trust, or financial asset securitization investment

1       13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.  
2       104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605  
3       (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.  
4       105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L.  
5       106–554, excluding sections 162 and 165 of P.L. 106–554, P.L. 106–573, P.L. 107–15,  
6       P.L. 107–16, excluding section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L.  
7       107–134, P.L. 107–147, excluding sections 101 and 301 (a) of P.L. 107–147, P.L.  
8       107–181, P.L. 107–210, P.L. 107–276, P.L. 107–358, P.L. 108–27, excluding sections  
9       106, 201, and 202 of P.L. 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201  
10      of P.L. 108–173, P.L. 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306,  
11      308, 316, 401, and 403 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102,  
12      201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375,  
13      P.L. 108–476, P.L. 109–7, P.L. 109–58, excluding sections 1305, 1308, 1309, 1310,  
14      1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59,  
15      excluding section 11146 of P.L. 109–59, P.L. 109–73, excluding section 301 of P.L.  
16      109–73, P.L. 109–135, excluding sections 101, 105, 201 (a) as it relates to section  
17      1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, P.L. 109–151, P.L.  
18      109–222, excluding sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–227,  
19      P.L. 109–280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A  
20      and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and  
21      8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.  
22      110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
23      P.L. 110–245, excluding section 301 of P.L. 110–245, sections 4, 15312, 15313, 15314,  
24      15316, and 15342 of P.L. 110–246, P.L. 110–289, excluding sections 3071, 3081, and  
25      3082 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections

trust under the Internal Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and

1       2113 of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
2       applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
3       101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
4       excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
5       103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
6       103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
7       excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
8       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
9       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
10      162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
11      107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
12      101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
13      107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
14      108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
15      108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
16      108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
17      847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
18      109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
19      1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
20      109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
21      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
22      (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
23      503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
24      412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
25      sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,

1       excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
2       and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
3       110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
4       110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
5       excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
6       and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
7       sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
8       111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
9       1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
10      of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
11      P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
12      111–325, “net income” means the federal regulated investment company taxable  
13      income, federal real estate mortgage investment conduit taxable income, federal real  
14      estate investment trust or financial asset securitization investment trust taxable  
15      income of the corporation, conduit, or trust as determined under the Internal  
16      Revenue Code as amended to December 31, 2010, excluding sections 103, 104, and  
17      110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
18      103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188,  
19      sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L.  
20      106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections  
21      106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316,  
22      401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
23      847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323,  
24      1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L.  
25      109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section

1       1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503,  
2       and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417,  
3       418, 424, and 425 of division A and section 403 of division C of P.L. 109–432, P.L.  
4       110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
5       110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
6       (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
7       P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
8       110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,  
9       P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
10      and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,  
11      1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
12      111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,  
13      and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.  
14      111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and  
15      217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113  
16      of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
17      applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
18      101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
19      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
20      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
21      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
22      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
23      104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
24      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
25      162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.

1       107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
2       101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
3       107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
4       108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
5       108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
6       108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
7       847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
8       109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
9       1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
10      109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
11      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
12      (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
13      503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
14      412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
15      sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
16      excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
17      and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
18      110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
19      110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
20      excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
21      and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
22      sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
23      111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
24      1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
25      of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of

1 P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
2 111–325, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is  
3 required to be depreciated for taxable years 1983 to 1986 under the Internal Revenue  
4 Code as amended to December 31, 1980, shall continue to be depreciated under the  
5 Internal Revenue Code as amended to December 31, 1980, and except that the  
6 appropriate amount shall be added or subtracted to reflect differences between the  
7 depreciation or adjusted basis for federal income tax purposes and the depreciation  
8 or adjusted basis under this chapter of any property disposed of during the taxable  
9 year. The Internal Revenue Code as amended to December 31, 2010, excluding  
10 sections 103, 104, and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d),  
11 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and  
12 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L. 106–519, sections 162 and 165  
13 of P.L. 106–554, P.L. 106–573, section 431 of P.L. 107–16, sections 101 and 301 (a) of  
14 P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section 1201 of P.L. 108–173,  
15 sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211,  
16 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305,  
17 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58,  
18 section 11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as  
19 it relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135,  
20 sections 101, 207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117,  
21 406, 409, 410, 412, 417, 418, 424, and 425 of division A and section 403 of division  
22 C of P.L. 109–432, P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of  
23 P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections  
24 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301  
25 of P.L. 110–245, P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and

1       15342 of P.L. 110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of  
2       P.L. 110–317, P.L. 110–343, except sections 116, 208, 211, and 301 of division B and  
3       sections 313 and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261,  
4       1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201  
5       of P.L. 111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108,  
6       10908, and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152,  
7       P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215  
8       and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and  
9       2113 of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
10      applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.  
11      101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
12      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.  
13      103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
14      103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
15      excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
16      104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
17      105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
18      162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
19      107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
20      101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
21      107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
22      108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
23      108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
24      108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
25      847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.

1       109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
2       1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
3       109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
4       sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
5       (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
6       503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
7       412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
8       sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
9       excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
10      and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
11      110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
12      110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
13      excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
14      and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
15      sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
16      111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
17      1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
18      of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
19      P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
20      111–325, applies for Wisconsin purposes at the same time as for federal purposes,  
21      except that changes made by section 209 of P.L. 109–222, sections 117, 406, 409, 410,  
22      412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
23      sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
24      excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
25      and 11 (b), (e), and (g) of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections

1       15312, 15313, 15314, and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041,  
2       3051, 3052, 3061, and 3092 of P.L. 110–289, P.L. 110–317, excluding section 9 (e) of  
3       P.L. 110–317, sections 116, 208, and 211 of division B and section 504 of division C  
4       of P.L. 110–343, section 14 of P.L. 111–92, sections 531, 532, and 533 of P.L. 111–147,  
5       sections 10908 and 10909 of P.L. 111–148, and section 2043 of P.L. 111–240 do not  
6       apply for taxable years beginning before January 1, 2011. Amendments to the  
7       Internal Revenue Code enacted after December 31, 2010, do not apply to this  
8       subdivision with respect to taxable years that begin after December 31, 2010, and  
9       before January 1, 2013.

10      **SECTION 41.** 71.34 (1g) (i) of the statutes is created to read:

11      **71.34 (1g) (i)** “Internal Revenue Code” for tax-option corporations, for taxable  
12     years that begin after December 31, 2012, means the federal Internal Revenue Code  
13     as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.  
14     102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
15     sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
16     4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L.  
17     107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L.  
18     108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L.  
19     108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L.  
20     108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
21     1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L.  
22     109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e),  
23     (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222,  
24     P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of  
25     division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections

1       8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5  
2       of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
3       P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections  
4       4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
5       3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
6       208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
7       P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
8       division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
9       1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, *(q016)*, 9021, 9022, 10108, 10902, 10908, and  
10      10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152,  
11      P.L. 111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215  
12      and 217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and  
13      2113 of P.L. 111–240, *and* P.L. 111–312, *and as indirectly affected in the provisions*  
14      applicable to this subchapter by P.L. 99–514, excluding sections 803 (d) (2) (B), 805  
15      (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514, P.L. 100–203, P.L.  
16      100–647, excluding section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140,  
17      P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104,  
18      and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections  
19      13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.  
20      103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202  
21      (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.  
22      105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L. 105–277, P.L. 106–36, P.L.  
23      106–170, P.L. 106–230, P.L. 106–554, excluding sections 162 and 165 of P.L. 106–554,  
24      P.L. 106–573, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L. 107–16, P.L.  
25      107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections 101 and 301 (a)

1 of P.L. 107-147, P.L. 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27,  
2 excluding sections 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173,  
3 excluding section 1201 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311,  
4 excluding sections 306, 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357,  
5 excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of  
6 P.L. 108-357, P.L. 108-375, P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections  
7 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L.  
8 109-58, P.L. 109-59, excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding  
9 section 301 of P.L. 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it  
10 relates to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L.  
11 109-151, P.L. 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222,  
12 P.L. 109-227, P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
13 of division A and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232,  
14 8234, and 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3,  
15 and 5 of P.L. 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g)  
16 of P.L. 110-172, P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4,  
17 15312, 15313, 15314, 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding  
18 sections 3071, 3081, and 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e)  
19 of P.L. 110-317, sections 116, 208, 211, and 301 of division B and sections 313 and 504  
20 of division C of P.L. 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401,  
21 1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L.  
22 111-147, excluding section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004,  
23 9005, 9012, 9013, 9014, <sup>(9016,</sup> 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148,  
24 sections 1403 and 1407 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203,  
25 sections 215 and 217 of P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L.

1        111-240, and P.L. 111-325, except that section 1366 (f) (relating to pass-through of  
2        items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes  
3        under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin  
4        purposes at the same time as for federal purposes, except that changes made by P.L.  
5        106-573, sections 9004, 9005, 9012, 9013, 9014, and 10902 of P.L. 111-148, and  
6        sections 1403 and 1407 of P.L. 111-152 do not apply for taxable years beginning  
7        before January 1, 2013.

8        **SECTION 42.** 71.34 (1g) (o) of the statutes is repealed.

9        **SECTION 43.** 71.34 (1g) (p) of the statutes is renumbered 71.34 (1g) (a).

10      **SECTION 44.** 71.34 (1g) (q) of the statutes is renumbered 71.34 (1g) (b).

11      **SECTION 45.** 71.34 (1g) (r) of the statutes is renumbered 71.34 (1g) (c).

12      **SECTION 46.** 71.34 (1g) (s) of the statutes is renumbered 71.34 (1g) (d).

13      **SECTION 47.** 71.34 (1g) (t) of the statutes is renumbered 71.34 (1g) (e).

14      **SECTION 48.** 71.34 (1g) (u) of the statutes is renumbered 71.34 (1g) (f).

15      **SECTION 49.** 71.34 (1g) (um) of the statutes is renumbered 71.34 (1g) (g).

16      **SECTION 50.** 71.34 (1g) (un) of the statutes is renumbered 71.34 (1g) (h) and  
17      amended to read:

18      71.34 (1g) (h) "Internal Revenue Code" for tax-option corporations, for taxable  
19      years that begin after December 31, 2010, and before January 1, 2013, means the  
20      federal Internal Revenue Code as amended to December 31, 2010, excluding sections  
21      103, 104, and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174, and  
22      13203 (d) of P.L. 103-66, sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
23      104-188, sections 1, 3, 4, and 5 of P.L. 106-519, sections 162 and 165 of P.L. 106-554,  
24      P.L. 106-573, section 431 of P.L. 107-16, sections 101 and 301 (a) of P.L. 107-147,  
25      sections 106, 201, and 202 of P.L. 108-27, section 1201 of P.L. 108-173, sections 306,

1       308, 316, 401, and 403 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336,  
2       337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309,  
3       1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section  
4       11146 of P.L. 109–59, section 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates  
5       to section 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101,  
6       207, 503, and 513 of P.L. 109–222, P.L. 109–432, except sections 117, 406, 409, 410,  
7       412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
8       P.L. 110–28, except sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L.  
9       110–140, sections 2, 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b),  
10      (e), and (g) of P.L. 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245,  
11      P.L. 110–246, except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L.  
12      110–246, sections 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317,  
13      P.L. 110–343, except sections 116, 208, 211, and 301 of division B and sections 313  
14      and 504 of division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401,  
15      1402, 1521, 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L.  
16      111–147, P.L. 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908,  
17      and 10909 of P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L.  
18      111–203, except section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and  
19      217 of P.L. 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113  
20      of P.L. 111–240, and P.L. 111–312, and as indirectly affected in the provisions  
21      applicable to this subchapter by P.L. 99–514, ~~P.L. 100–203, P.L. 100–647~~, excluding  
22      sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2), and 823 (c) (2) of P.L. 99–514  
23      and, ~~P.L. 100–203, P.L. 100–647~~, excluding section 1008 (g) (5) of P.L. 100–647, P.L.  
24      101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,  
25      excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

1       103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L.  
2       103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,  
3       excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, P.L.  
4       104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206, P.L.  
5       105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554, excluding sections  
6       162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding section 431 of P.L.  
7       107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147, excluding sections  
8       101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L. 107–276, P.L.  
9       107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L. 108–27, P.L.  
10      108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L. 108–203, P.L.  
11      108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403 (a) of P.L.  
12      108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336, 337, 422,  
13      847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7, P.L.  
14      109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
15      1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
16      109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding  
17      sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
18      (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
19      503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
20      412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
21      sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
22      excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
23      and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
24      110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
25      110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,

1       excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
2       and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
3       sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
4       111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
5       1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
6       of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
7       P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
8       111–325, except that section 1366 (f) (relating to pass-through of items to  
9       shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
10      sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes  
11      at the same time as for federal purposes, except that changes made by section 209  
12      of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division  
13      A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232, 8234, and  
14      8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3, and 5 of P.L.  
15      110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172,  
16      sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314, and 15342 of P.L.  
17      110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and 3092 of P.L.  
18      110–289, P.L. 110–317, excluding section 9 (e) of P.L. 110–317, sections 116, 208, and  
19      211 of division B and section 504 of division C of P.L. 110–343, section 14 of P.L.  
20      111–92, sections 531, 532, and 533 of P.L. 111–147, sections 10908 and 10909 of P.L.  
21      111–148, and section 2043 of P.L. 111–240 do not apply for taxable years beginning  
22      before January 1, 2011. Amendments to the federal Internal Revenue Code enacted  
23      after December 31, 2010, do not apply to this paragraph with respect to taxable years  
24      beginning after December 31, 2010, and before January 1, 2013.

25       **SECTION 51.** 71.42 (2) (i) of the statutes is created to read:

1           **71.42 (2) (i)** For taxable years that begin after December 31, 2012, “Internal  
2 Revenue Code” means the federal Internal Revenue Code as amended to  
3 December 31, 2010, excluding sections 103, 104, and 110 of P.L. 102–227, sections  
4 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66, sections 1123 (b),  
5 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3, 4, and 5 of P.L.  
6 106–519, sections 162 and 165 of P.L. 106–554, section 431 of P.L. 107–16, sections  
7 101 and 301 (a) of P.L. 107–147, sections 106, 201, and 202 of P.L. 108–27, section  
8 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403 (a) of P.L. 108–311, sections  
9 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108–357, P.L.  
10 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328, 1329, 1348,  
11 and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section 301 of P.L. 109–73,  
12 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
13 (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L. 109–222, P.L.  
14 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division  
15 A and section 403 of division C of P.L. 109–432, P.L. 110–28, except sections 8215,  
16 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2, 3, and 5 of P.L.  
17 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L. 110–172, P.L.  
18 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246, except sections 4,  
19 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections 3071, 3081, and  
20 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343, except sections 116,  
21 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L. 110–343,  
22 P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of  
23 division B of P.L. 111–5, section 201 of P.L. 111–147, P.L. 111–148, except sections  
24 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014, <sup>(9016)</sup> 9021, 9022, 10108, 10902, 10908, and  
25 10909 of P.L. 111–148, P.L. 111–152, except sections 1403 and 1407 of P.L. 111–152,

1 P.L. 111-203, except section 1601 of P.L. 111-203, P.L. 111-226, except sections 215  
2 and 217 of P.L. 111-226, P.L. 111-240, except sections 2014, 2043, 2111, 2112, and

3 2113 of P.L. 111-240, and P.L. 111-312, and as indirectly affected by P.L. 99-514, P.L.

4 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.

5 101-508, P.L. 102-227, excluding sections 103, 104, and 110 of P.L. 102-227, P.L.

6 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),

7 13174, and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.

8 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605

9 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L.

10 105-178, P.L. 105-206, P.L. 105-277, P.L. 106-36, P.L. 106-170, P.L. 106-230, P.L.

11 106-554, excluding sections 162 and 165 of P.L. 106-554, P.L. 106-573, P.L. 107-15,

12 P.L. 107-16, excluding section 431 of P.L. 107-16, P.L. 107-22, P.L. 107-116, P.L.

13 107-134, P.L. 107-147, excluding sections 101 and 301 (a) of P.L. 107-147, P.L.

14 107-181, P.L. 107-210, P.L. 107-276, P.L. 107-358, P.L. 108-27, excluding sections

15 106, 201, and 202 of P.L. 108-27, P.L. 108-121, P.L. 108-173, excluding section 1201

16 of P.L. 108-173, P.L. 108-203, P.L. 108-218, P.L. 108-311, excluding sections 306,

17 308, 316, 401, and 403 (a) of P.L. 108-311, P.L. 108-357, excluding sections 101, 102,

18 201, 211, 242, 244, 336, 337, 422, 847, 909, and 910 of P.L. 108-357, P.L. 108-375,

19 P.L. 108-476, P.L. 109-7, P.L. 109-58, excluding sections 1305, 1308, 1309, 1310,

20 1323, 1324, 1325, 1326, 1328, 1329, 1348, and 1351 of P.L. 109-58, P.L. 109-59,

21 excluding section 11146 of P.L. 109-59, P.L. 109-73, excluding section 301 of P.L.

22 109-73, P.L. 109-135, excluding sections 101, 105, 201 (a) as it relates to section

23 1400S (a), 402 (e), 403 (e), (j), and (q), and 405 of P.L. 109-135, P.L. 109-151, P.L.

24 109-222, excluding sections 101, 207, 503, and 513 of P.L. 109-222, P.L. 109-227,

25 P.L. 109-280, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425 of division A

*Insert B*

1 and section 403 of division C of P.L. 109-432, sections 8215, 8231, 8232, 8234, and  
2 8236 of P.L. 110-28, P.L. 110-141, P.L. 110-142, excluding sections 2, 3, and 5 of P.L.  
3 110-142, P.L. 110-172, excluding sections 3 (b) and 11 (b), (e), and (g) of P.L. 110-172,  
4 P.L. 110-245, excluding section 301 of P.L. 110-245, sections 4, 15312, 15313, 15314,  
5 15316, and 15342 of P.L. 110-246, P.L. 110-289, excluding sections 3071, 3081, and  
6 3082 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections  
7 116, 208, 211, and 301 of division B and sections 313 and 504 of division C of P.L.  
8 110-343, P.L. 110-351, P.L. 110-458, sections 1261, 1262, 1401, 1402, 1521, 1522,  
9 1531, and 1541 of division B of P.L. 111-5, P.L. 111-92, P.L. 111-147, excluding (9016)  
10 section 201 of P.L. 111-147, sections 1322, 1515, 9003, 9004, 9005, 9012, 9013, 9014,  
11 9021, 9022, 10108, 10902, 10908, and 10909 of P.L. 111-148, sections 1403 and 1407  
12 of P.L. 111-152, P.L. 111-192, section 1601 of P.L. 111-203, sections 215 and 217 of  
13 P.L. 111-226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111-240, and P.L.  
14 (insert) 111-325 except that "Internal Revenue Code" does not include section 847 of the  
15 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin  
16 purposes at the same time as for federal purposes, except that changes made by P.L.  
17 (9016) 106-573, sections 9004, 9005, 9012, 9013, 9014, and 10902 of P.L. 111-148, and  
18 sections 1403 and 1407 of P.L. 111-152 do not apply for taxable years beginning  
19 before January 1, 2013. (insert C)

20 **SECTION 52.** 71.42 (2) (n) of the statutes is repealed.

21 **SECTION 53.** 71.42 (2) (o) of the statutes is renumbered 71.42 (2) (a).

22 **SECTION 54.** 71.42 (2) (p) of the statutes is renumbered 71.42 (2) (b).

23 **SECTION 55.** 71.42 (2) (q) of the statutes is renumbered 71.42 (2) (c).

24 **SECTION 56.** 71.42 (2) (r) of the statutes is renumbered 71.42 (2) (d).

25 **SECTION 57.** 71.42 (2) (s) of the statutes is renumbered 71.42 (2) (e).

1           **SECTION 58.** 71.42 (2) (t) of the statutes is renumbered 71.42 (2) (f).

2           **SECTION 59.** 71.42 (2) (tm) of the statutes is renumbered 71.42 (2) (g).

3           **SECTION 60.** 71.42 (2) (tn) of the statutes is renumbered 71.42 (2) (h) and  
4 amended to read:

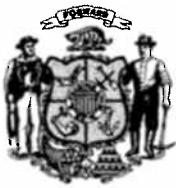
5           **71.42 (2) (h)** For taxable years that begin after December 31, 2010, and before  
6 January 1, 2013, “Internal Revenue Code” means the federal Internal Revenue Code  
7 as amended to December 31, 2010, excluding sections 103, 104, and 110 of P.L.  
8 102–227, sections 13113, 13150 (d), 13171 (d), 13174, and 13203 (d) of P.L. 103–66,  
9 sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L. 104–188, sections 1, 3,  
10 4, and 5 of P.L. 106–519, sections 162 and 165 of P.L. 106–554, P.L. 106–573, section  
11 431 of P.L. 107–16, sections 101 and 301 (a) of P.L. 107–147, sections 106, 201, and  
12 202 of P.L. 108–27, section 1201 of P.L. 108–173, sections 306, 308, 316, 401, and 403  
13 (a) of P.L. 108–311, sections 101, 102, 201, 211, 242, 244, 336, 337, 422, 847, 909, and  
14 910 of P.L. 108–357, P.L. 109–1, sections 1305, 1308, 1309, 1310, 1323, 1324, 1325,  
15 1326, 1328, 1329, 1348, and 1351 of P.L. 109–58, section 11146 of P.L. 109–59, section  
16 301 of P.L. 109–73, sections 101, 105, 201 (a) as it relates to section 1400S (a), 402  
17 (e), 403 (e), (j), and (q), and 405 of P.L. 109–135, sections 101, 207, 503, and 513 of P.L.  
18 109–222, P.L. 109–432, except sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
19 of division A and section 403 of division C of P.L. 109–432, P.L. 110–28, except  
20 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–140, sections 2,  
21 3, and 5 of P.L. 110–142, P.L. 110–166, sections 3 (b) and 11 (b), (e), and (g) of P.L.  
22 110–172, P.L. 110–185, P.L. 110–234, section 301 of P.L. 110–245, P.L. 110–246,  
23 except sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, sections  
24 3071, 3081, and 3082 of P.L. 110–289, section 9 (e) of P.L. 110–317, P.L. 110–343,  
25 except sections 116, 208, 211, and 301 of division B and sections 313 and 504 of

1 division C of P.L. 110–343, P.L. 111–5, except sections 1261, 1262, 1401, 1402, 1521,  
2 1522, 1531, and 1541 of division B of P.L. 111–5, section 201 of P.L. 111–147, P.L.  
3 111–148, except sections 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of  
4 P.L. 111–148, P.L. 111–152, except section 1407 of P.L. 111–152, P.L. 111–203, except  
5 section 1601 of P.L. 111–203, P.L. 111–226, except sections 215 and 217 of P.L.  
6 111–226, P.L. 111–240, except sections 2014, 2043, 2111, 2112, and 2113 of P.L.  
7 111–240, and P.L. 111–312, and as indirectly affected by P.L. 99–514, P.L. 100–203,  
8 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,  
9 P.L. 102–227, excluding sections 103, 104, and 110 of P.L. 102–227, P.L. 102–318, P.L.  
10 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, and  
11 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.  
12 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311, and 1605 (d) of P.L.  
13 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.  
14 105–206, P.L. 105–277, P.L. 106–36, P.L. 106–170, P.L. 106–230, P.L. 106–554,  
15 excluding sections 162 and 165 of P.L. 106–554, P.L. 107–15, P.L. 107–16, excluding  
16 section 431 of P.L. 107–16, P.L. 107–22, P.L. 107–116, P.L. 107–134, P.L. 107–147,  
17 excluding sections 101 and 301 (a) of P.L. 107–147, P.L. 107–181, P.L. 107–210, P.L.  
18 107–276, P.L. 107–358, P.L. 108–27, excluding sections 106, 201, and 202 of P.L.  
19 108–27, P.L. 108–121, P.L. 108–173, excluding section 1201 of P.L. 108–173, P.L.  
20 108–203, P.L. 108–218, P.L. 108–311, excluding sections 306, 308, 316, 401, and 403  
21 (a) of P.L. 108–311, P.L. 108–357, excluding sections 101, 102, 201, 211, 242, 244, 336,  
22 337, 422, 847, 909, and 910 of P.L. 108–357, P.L. 108–375, P.L. 108–476, P.L. 109–7,  
23 P.L. 109–58, excluding sections 1305, 1308, 1309, 1310, 1323, 1324, 1325, 1326, 1328,  
24 1329, 1348, and 1351 of P.L. 109–58, P.L. 109–59, excluding section 11146 of P.L.  
25 109–59, P.L. 109–73, excluding section 301 of P.L. 109–73, P.L. 109–135, excluding

1 sections 101, 105, 201 (a) as it relates to section 1400S (a), 402 (e), 403 (e), (j), and  
2 (q), and 405 of P.L. 109–135, P.L. 109–151, P.L. 109–222, excluding sections 101, 207,  
3 503, and 513 of P.L. 109–222, P.L. 109–227, P.L. 109–280, sections 117, 406, 409, 410,  
4 412, 417, 418, 424, and 425 of division A and section 403 of division C of P.L. 109–432,  
5 sections 8215, 8231, 8232, 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142,  
6 excluding sections 2, 3, and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b)  
7 and 11 (b), (e), and (g) of P.L. 110–172, P.L. 110–245, excluding section 301 of P.L.  
8 110–245, sections 4, 15312, 15313, 15314, 15316, and 15342 of P.L. 110–246, P.L.  
9 110–289, excluding sections 3071, 3081, and 3082 of P.L. 110–289, P.L. 110–317,  
10 excluding section 9 (e) of P.L. 110–317, sections 116, 208, 211, and 301 of division B  
11 and sections 313 and 504 of division C of P.L. 110–343, P.L. 110–351, P.L. 110–458,  
12 sections 1261, 1262, 1401, 1402, 1521, 1522, 1531, and 1541 of division B of P.L.  
13 111–5, P.L. 111–92, P.L. 111–147, excluding section 201 of P.L. 111–147, sections  
14 1322, 1515, 9003, 9021, 9022, 10108, 10908, and 10909 of P.L. 111–148, section 1407  
15 of P.L. 111–152, P.L. 111–192, section 1601 of P.L. 111–203, sections 215 and 217 of  
16 P.L. 111–226, sections 2014, 2043, 2111, 2112, and 2113 of P.L. 111–240, and P.L.  
17 111–325, except that “Internal Revenue Code” does not include section 847 of the  
18 federal Internal Revenue Code. The Internal Revenue Code applies for Wisconsin  
19 purposes at the same time as for federal purposes, except that changes made by  
20 section 209 of P.L. 109–222, sections 117, 406, 409, 410, 412, 417, 418, 424, and 425  
21 of division A and section 403 of division C of P.L. 109–432, sections 8215, 8231, 8232,  
22 8234, and 8236 of P.L. 110–28, P.L. 110–141, P.L. 110–142, excluding sections 2, 3,  
23 and 5 of P.L. 110–142, P.L. 110–172, excluding sections 3 (b) and 11 (b), (e), and (g)  
24 of P.L. 110–172, sections 110 and 113 of P.L. 110–245, sections 15312, 15313, 15314,  
25 and 15342 of P.L. 110–246, sections 3031, 3032, 3033, 3041, 3051, 3052, 3061, and

1 3092 of P.L. 110-289, P.L. 110-317, excluding section 9 (e) of P.L. 110-317, sections  
2 116, 208, and 211 of division B and section 504 of division C of P.L. 110-343, section  
3 14 of P.L. 111-92, sections 531, 532, and 533 of P.L. 111-147, sections 10908 and  
4 10909 of P.L. 111-148, and section 2043 of P.L. 111-240 do not apply for taxable years  
5 beginning before January 1, 2011. Amendments to the federal Internal Revenue  
6 Code enacted after December 31, 2010, do not apply to this paragraph with respect  
7 to taxable years beginning after December 31, 2010, and before January 1, 2013.

8 (END)



State of Wisconsin  
2013 - 2014 LEGISLATURE

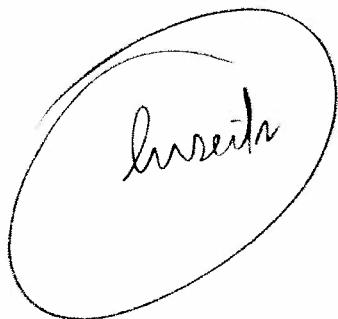


LRB-0259/P1

JK:sac:ph

DOA:.....Quinn, BB0015 – Internal Revenue Code update

**FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION**



1    **AN ACT ...; relating to:** the budget.

*Analysis by the Legislative Reference Bureau*

**TAXATION**

**INCOME TAXATION**

This bill adopts, for state income and franchise tax purposes, changes made to the federal Internal Revenue Code related to free choice vouchers, corporate repurchasing of convertible debt instruments, pension funding rules for determining segment rates, transfers from excess pension assets to retiree medical accounts or for purchasing retiree group term life insurance, phased retirements, the installment method for accrual basis taxpayers, and the tax treatment of Blue Cross and Blue Shield organizations.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

2

**SECTION 1.** 71.01 (6) (i) of the statutes is created to read:

**2013–2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB–0506/P2ins

JK:sac:rs

**Insert B**

1       and as amended by section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and  
2       sections 40211, 40241, 40242, and 100121 of P.L. 112–141,

**Insert C**

3       , section 1858 of P.L. 112–10, section 1108 of P.L. 112–95, and sections 40211,  
4       40241, 40242, and 100121 of P.L. 112–141